

Exhibit E

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MASSACHUSETTS

3
4 - - - - -x
5 UNITED STATES OF AMERICA ex :
6 rel. MELAYNA LOKOSKY, :
7 Plaintiff-Relator, : Civil Action No.
8 v. : 11-CA-11217-WGY
9 ACCLARENT, INC., ETHICON, :
10 INC., and JOHNSON & :
11 JOHNSON, :
12 Defendants. :

13 - - - - -x
14
15 Videotaped Deposition of MELAYNA LOKOSKY

16 Boston, Massachusetts

17 Thursday, April 5, 2018

18 10:04 a.m.

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20
21
22 Job No.: 182937

23 Pages: 1 - 309

24 Reported By: Michelle Keegan, RMR

Transcript of Melayna Lokosky
Conducted on April 5, 2018

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1	I'm trying to think.	15:45:55
2	Q Did those conversations for the FBI touch	15:45:56
3	on your termination?	15:46:00
4	MR. RONA: Objection.	15:46:02
5	A Yes.	15:46:03
6	Q Okay. With all of the people that you've	15:46:03
7	mentioned?	15:46:06
8	A Yes.	15:46:06
9	Q Have you spoken to any of the people that	15:46:07
10	you've mentioned since 2013?	15:46:12
11	A Yes.	15:46:15
12	Q Well, let me ask that differently.	15:46:15
13	You attended the criminal trial of Bill	15:46:18
14	Facteau and Pat Fabian. Right?	15:46:22
15	A I did.	15:46:23
16	Q That took place in 2016?	15:46:23
17	A Correct.	15:46:24
18	Q During the trial, did you communicate with	15:46:25
19	any former Acclarent employees?	15:46:30
20	A I was forbidden.	15:46:33
21	Q And you did not?	15:46:34
22	A I did not, with the exception of Nick	15:46:35
23	Freeman, the very first day. And then I was	15:46:38
24	forbidden.	15:46:40

Transcript of Melayna Lokosky
Conducted on April 5, 2018

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1	that reason is.	15:52:00
2	MR. RONA: Okay. First of all, you've	15:52:01
3	known about this for almost two years. We've	15:52:03
4	already covered this. I'm not going to go back	15:52:06
5	and retrace the same ground.	15:52:08
6	You know our position. You're welcome to	15:52:14
7	challenge it, and we'll oppose it. That's fine.	15:52:16
8	But I'm not going to let her reveal any	15:52:19
9	communications, advice, instructions that we gave	15:52:21
10	her. And you wouldn't do any different for your	15:52:23
11	client.	15:52:28
12	BY MR. MAYA:	15:52:31
13	Q Did you begin taking the notes at the	15:52:31
14	beginning of the trial?	15:52:33
15	A Yes.	15:52:34
16	Q The first day of the trial?	15:52:34
17	A I wasn't -- was it voir dire? I wasn't	15:52:36
18	there for that. That's the first day of the	15:52:44
19	trial. Correct? Or no?	15:52:45
20	Q Were there any days on which you attended	15:52:47
21	trial when you did not take notes?	15:52:49
22	A I don't recall.	15:52:51
23	Q How many days did you attend -- well, let	15:52:53
24	me ask this: How many days did you not attend the	15:53:01

Transcript of Melayna Lokosky
Conducted on April 5, 2018

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1	trial?	15:53:04
2	A Two.	15:53:04
3	Q What days were those?	15:53:04
4	A One was I was sick. I don't remember the	15:53:05
5	date. And the other was doing a deposition, I	15:53:10
6	believe, with you in Washington, D.C. Oh, no, it	15:53:13
7	wasn't. It was going to D.C., though. It was	15:53:17
8	attorney . . .	15:53:26
9	Q Did you have expenses for your attendance	15:53:26
10	at the trial?	15:53:35
11	A I did.	15:53:35
12	Q How much were those expenses?	15:53:36
13	A I don't know.	15:53:37
14	Q What were the expenses for?	15:53:37
15	A Hotel, food.	15:53:39
16	Q Where did you stay?	15:53:40
17	A The Liberty Hotel.	15:53:40
18	Q And where is that?	15:53:42
19	A In Boston.	15:53:44
20	Q Is it known as the former Charles Street	15:53:45
21	Jail?	15:53:48
22	A Yes.	15:53:48
23	Q How much did that hotel cost per night?	15:53:49
24	A I have no idea.	15:53:51

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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, MICHELLE KEEGAN, Registered Merit
3 Reporter and Notary Public in and for the
4 Commonwealth of Massachusetts, the officer before
5 whom the foregoing deposition was taken, do hereby
6 certify that the foregoing transcript is a true
7 and correct record of the testimony given; that
8 said testimony was taken by me stenographically
9 and thereafter reduced to typewriting under my
10 direction; that reading and signing was requested;
11 and that I am neither counsel for, related to, nor
12 employed by any of the parties to this case and
13 have no interest, financial or otherwise, in its
14 outcome.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and affixed my notarial seal this 10th day of
17 April, 2018.

18 My commission expires May 16, 2019.

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22 _____

23 NOTARY PUBLIC IN AND FOR

24 THE COMMONWEALTH OF MASSACHUSETTS